

United States Bankruptcy Court

NORTHERN DISTRICT OF ILLINOIS

219 S Dearborn Street

Chicago, IL 60604

Kenneth S. Gardner, Bankruptcy Clerk

Date January 11, 2008

Michael Dobbins, Clerk
 United States District Court
 Northern District of Illinois
 219 S Dearborn Street
 Chicago, IL 60604

Case Number

07 A 12 / 05 B 40196

Case Name

Bruce S. Smith vs Sandra Sterling-Ahlla

Notice of Appeal Filed

12/17/07

Appellant

Bruce S. Smith

KC FILED
 JAN 11 2008
 JAN 11 2008
 MICHAEL W. DOBBINS
 CLERK, U.S. DISTRICT COURT

Dear Sir:

Pursuant to **Bankruptcy Rule 8007** transmitted herewith is the Record on Appeal. The Record on Appeal consist of:

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Transmittal Letter and Civil Cover Sheet

Designation

Statement of Issues

Transcript of Proceeding

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Supplemental to the Record

Notice of Appeal

Copy of Documents Designated

Exhibits

Expedited Notice of Appeal

Certified Copy of Docket Sheet

Additional Items Included

☐
08CV244JUDGE GOTTSCHALLMAGISTRATE JUDGE VALDEZ
☐

Total Volumes Transmitted

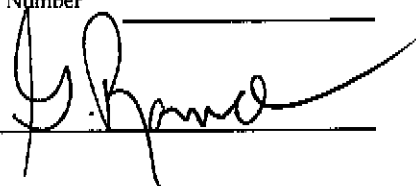
The following items will be transmitted as a supplemental to the Record on Appeal

☐

Previous D C Judge

Case Number

By Deputy Clerk



7270BJ, APPEAL

**U.S. Bankruptcy Court
Northern District of Illinois (Chicago)
Adversary Proceeding #: 07-00012
Internal Use Only**

Assigned to: Honorable Judge Jack B.

Date Filed: 01/08/07

Schmetterer

Related BK Case: 05-40196

Related BK Title: Bruce S Smith

Related BK Chapter: 7

Demand: \$100000

Nature[s] of Suit: 41 Objection / revocation of
discharge - 727(c),(d),(e)
68 Dischargeability - 523(a)(6),
willful and malicious injury
91 Declaratory judgment

KC **FILED**

JAN 11 2008

JAN 11 2008

MICHAEL W. DOBBINS

CLERK, U.S. DISTRICT COURT

08CV244

JUDGE GOTTSCHALL

MAGISTRATE JUDGE VALDEZ

Plaintiff

Sandra Sterling-Ahlla

represented by **Darryl E Robinson**

1505 E 53rd St Suite 200

Chicago, IL 60615

773-955-0400

LEAD ATTORNEY

V.

Defendant

Bruce S Smith

represented by **Steven H Jesser**

Steven H Jesser Attorney at Law
PC

790 Frontage Road Suite 110

Northfield, IL 60093

847 424-0200

Fax : 800 330-9710

Email: shj@sjesser.com

LEAD ATTORNEY

This is to certify that the within and attached document is a full true and correct copy of the original thereof as the same appears on file in the office of the Clerk of the United States Bankruptcy Court for the Northern District of Illinois

KENNETH S GARDNER

CLERK OF COURT

By

[Signature]
Deputy Clerk

Dated

1-11-2008

| Filing Date | # | Docket Text |
|-------------|--------------------------|--|
| 01/08/2007 | <u>1</u> | Adversary case 07-00012. (41 (Objection / revocation of discharge - 727(c),(d),(e))) , (68 (Dischargeability - 523(a)(6), willful and malicious injury)) , (91 (Declaratory judgment)): Complaint by Sandra Sterling-Ahlla against Bruce S Smith . Fee Amount \$250. (Gutierrez, Evelyn) (Entered: 01/08/2007) |
| 01/08/2007 | <u>2</u> | Adversary Proceeding Cover Sheet Filed by Darryl E Robinson on behalf of Sandra Sterling-Ahlla . (Gutierrez, Evelyn) (Entered: 01/08/2007) |
| 01/08/2007 | <u>3</u> | Summons Issued on Bruce S Smith Date Issued 1/8/2007, Answer Due 2/7/2007 (RE: <u>1</u> Complaint,). Status hearing to be held on 2/12/2007 at 10:30 AM at 219 South Dearborn, Courtroom 682, Chicago, Illinois 60604. (Gutierrez, Evelyn) (Entered: 01/08/2007) |
| 01/08/2007 | <u>4</u> | Receipt of Adversary Filing Fee - \$250.00 by EG. Receipt Number 03154913. Payment received from Robinson. (Entered: 01/09/2007) |
| 01/08/2007 | <u>5</u> | Notice of Motion and Motion for Adversary Releif. Filed by Darryl E Robinson on behalf of Sandra Sterling-Ahlla . Hearing scheduled for 1/12/2007 at 10:30 AM at 219 South Dearborn, Courtroom 682, Chicago, Illinois 60604. (Scott, Kelvin) (Entered: 01/10/2007) |
| 01/08/2007 | <u>6</u> | Notice of Hearing of Rule to Show Cause with Certificate of Service against Darryl Robinson for Not Filing Electronically . Hearing scheduled for 1/23/2007 at 10:00 AM at 219 South Dearborn, Courtroom 744, Chicago, Illinois 60604. (Scott, Kelvin) (Entered: 01/10/2007) |
| 01/12/2007 | <u>7</u> | Hearing Continued (RE: <u>5</u> Generic Motion,). Hearing Scheduled for 02/13/2007 at 10:30 AM at Courtroom 682 219 South Dearborn, Chicago, IL, 60604. (Smith,Deborah) (Entered: 01/12/2007) |
| 01/12/2007 | <u>8</u> | Order Scheduling (RE: <u>5</u> Generic Motion). Hearing continued on 2/13/2007 at 10:30AM at 219 South |

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| | | Dearborn, Courtroom 682, Chicago, Illinois 60604. Signed on 1/12/2007 (Scott, Kelvin) (Entered: 01/16/2007) |
| 01/12/2007 | ● <u>9</u> | Certificate of Service (RE: <u>8</u> Order Scheduling). (Scott, Kelvin) (Entered: 01/16/2007) |
| 01/16/2007 | ● <u>10</u> | Notice of Hearing of Rule to Show Cause with Certificate of Service against Darryl Robinson for Not Filing Electronically . Hearing scheduled for 1/23/2007 at 10:00 AM at 219 South Dearborn, Courtroom 744, Chicago, Illinois 60604. (Scott, Kelvin) (Entered: 01/17/2007) |
| 01/16/2007 | ● <u>11</u> | INCORRECT EVENT ENTERED Notice of Motion and Motion to file amended complaint. Filed by Darryl E Robinson on behalf of Sandra Sterling-Ahlla . Hearing scheduled for 2/13/2007 at 10:00 AM at 219 South Dearborn, Courtroom 682, Chicago, Illinois 60604. (Scott, Kelvin) Modified on 1/19/2007 (Rance, Gwendolyn). (Entered: 01/17/2007) |
| 01/16/2007 | ● <u>13</u> | Notice of Motion Filed by Darryl E Robinson on behalf of Bruce S Smith (RE: <u>11</u> Generic Motion,). Hearing scheduled for 2/13/2007 at 10:00 AM at 219 South Dearborn, Courtroom 682, Chicago, Illinois 60604. (Rance, Gwendolyn) (Entered: 01/19/2007) |
| 01/16/2007 | ● <u>14</u> | Amended Complaint by Darryl E Robinson on behalf of Sandra Sterling-Ahlla against Bruce S Smith . (RE: <u>1</u> Complaint,). (Rance, Gwendolyn) (Entered: 01/19/2007) |
| 01/19/2007 | ● <u>12</u> | CORRECTIVE ENTRY INCORRECT EVENT ENTERED (RE: <u>11</u> Generic Motion,). (Rance, Gwendolyn) (Entered: 01/19/2007) |
| 01/23/2007 | ● <u>15</u> | Hearing Concluded (RE: <u>6</u> Notice of Hearing of Rule to Show Cause for Not Filing Electronically, <u>10</u> Notice of Hearing of Rule to Show Cause for Not Filing Electronically). (Williams, Velda) (Entered: 01/23/2007) |
| 01/23/2007 | ● <u>16</u> | Notice of Hearing of Rule to Show Cause with |

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| | | Certificate of Service against Darryl E Robinson for Not Filing Electronically . Hearing scheduled for 2/6/2007 at 10:00 AM at 219 South Dearborn, Courtroom 744, Chicago, Illinois 60604. (Williams, Daphne) (Entered: 01/24/2007) |
| 01/23/2007 | ● <u>17</u> | Summons Service Executed on Bruce S Smith 1/9/2007 (RE: 3 Summons Issued). (Williams, Daphne) (Entered: 01/24/2007) |
| 02/13/2007 | ● <u>18</u> | Hearing Continued Status hearing to be held on 2/20/2007 at 10:30 AM at 219 South Dearborn, Courtroom 682, Chicago, Illinois 60604. (Smith, Deborah) (Entered: 02/13/2007) |
| 02/13/2007 | ● <u>19</u> | Hearing Continued (RE: <u>11</u> Generic Motion,, <u>5</u> Generic Motion). Hearing scheduled for 2/20/2007 at 11:30 AM at 219 South Dearborn, Courtroom 682, Chicago, Illinois 60604. (Smith, Deborah) (Entered: 02/13/2007) |
| 02/13/2007 | ● <u>20</u> | Order Scheduling (RE: <u>5</u> Generic Motion). Hearing continued on 2/20/2007 at 11:30AM at 219 South Dearborn, Courtroom 682, Chicago, Illinois 60604. Signed on 2/13/2007 (Williams, Daphne) (Entered: 02/14/2007) |
| 02/13/2007 | ● <u>21</u> | Order Scheduling (RE: <u>13</u> Notice of Motion). Hearing continued on 2/20/2007 at 11:30AM at 219 South Dearborn, Courtroom 682, Chicago, Illinois 60604. Signed on 2/13/2007 (Williams, Daphne) (Entered: 02/16/2007) |
| 02/20/2007 | ● <u>22</u> | Hearing Concluded (RE: <u>16</u> Notice of Hearing of Rule to Show Cause for Not Filing Electronically,). (Williams, Velda) (Entered: 02/20/2007) |
| 02/20/2007 | ● <u>23</u> | Order Striking Motion (Related Doc # <u>5</u>). Signed on 2/20/2007. (Williams, Daphne) (Entered: 02/22/2007) |
| 02/20/2007 | ● <u>24</u> | Order Plaintiff's motion to file Amended Complaint is allowed . Signed on 2/20/2007 (Williams, Daphne) (Entered: 02/22/2007) |
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| 02/20/2007 | ● <u>25</u> | Notice of Motion and Motion to Dismiss Adversary Proceeding of discharged debtor Bruce S. Smith, MD to amended complaint of Sandra Sterling-Ahlla. Filed by Steven H Jesser on behalf of Bruce S Smith . Hearing scheduled for 2/20/2007 at 11:30 AM at 219 South Dearborn, Courtroom 682, Chicago, Illinois 60604. (Scott, Kelvin) (Entered: 02/22/2007) |
| 02/20/2007 | ● <u>26</u> | Order Scheduling (RE: <u>25</u> Motion to Dismiss Adversary Proceeding,). Hearing continued on 4/10/2007 at 10:30AM at 219 South Dearborn, Courtroom 682, Chicago, Illinois 60604. Responses due by 3/27/2007. Defendant is hereby granted 14 days thereafter to reply Signed on 2/20/2007 (Williams, Daphne) (Entered: 02/22/2007) |
| 03/14/2007 | | Motions terminated (RE: <u>11</u> Generic Motion,). (Williams, Daphne) (Entered: 03/14/2007) |
| 03/27/2007 | ● <u>27</u> | Response to (related document(s): <u>25</u> Motion to Dismiss Adversary Proceeding,) Filed by Darryl E Robinson on behalf of Sandra Sterling-Ahlla (Williams, Daphne) (Entered: 03/28/2007) |
| 03/27/2007 | ● <u>28</u> | Notice of Filing Filed by Darryl E Robinson on behalf of Sandra Sterling-Ahlla (RE: <u>27</u> Response). (Williams, Daphne) (Entered: 03/28/2007) |
| 03/27/2007 | ● <u>29</u> | Certificate of Service Filed by Darryl E Robinson on behalf of Sandra Sterling-Ahlla (RE: <u>28</u> Notice of Filing, <u>27</u> Response). (Williams, Daphne) (Entered: 03/28/2007) |
| 04/06/2007 | ● <u>30</u> | Hearing Continued (RE: <u>25</u> Motion to Dismiss Adversary Proceeding,). Hearing scheduled for 4/10/2007 at 10:30 AM at 219 South Dearborn, Courtroom 682, Chicago, Illinois 60604. (Smith, Deborah) (Entered: 04/06/2007) |
| 04/09/2007 | ● <u>31</u> | Reply in Support to Filed by Steven H Jesser on behalf of Bruce S Smith (Jesser, Steven) (Entered: 04/09/2007) |
| 04/10/2007 | ● <u>32</u> | Order Denying Motion to Dismiss Adversary Proceeding |

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| | | (Related Doc # 25). Signed on 4/10/2007. (Williams, Daphne) (Entered: 04/11/2007) |
| 04/11/2007 | ●33 | Hearing Continued (RE: 1 Complaint,). Pre-Trial Conference set for 7/16/2007 at 11:00 AM at 219 South Dearborn, Courtroom 682, Chicago, Illinois 60604. Trial date set for 9/17/2007 at 01:30 PM at 219 South Dearborn, Courtroom 682, Chicago, Illinois 60604. Continued Trial date set for 9/18/2007 at 01:30 PM . (Smith, Deborah) (Entered: 04/11/2007) |
| 04/11/2007 | ●34 | Final PreTrial Order (RE: 1 Complaint,). Pre-Trial Conference set for 7/16/2007 at 11:00 AM at 219 South Dearborn, Courtroom 682, Chicago, Illinois 60604. Answer due by: 4/24/2007. Trial date set for 9/17/2007 at 01:30 PM at 219 South Dearborn, Courtroom 682, Chicago, Illinois 60604. Continued Trial date set for 9/18/2007 at 01:30 PM at 219 South Dearborn, Courtroom 682, Chicago, Illinois 60604. Signed on 4/11/2007 (Williams, Daphne) (Entered: 04/12/2007) |
| 04/11/2007 | ●35 | Certificate of Service (RE: 34 Trial Order,). (Williams, Daphne) (Entered: 04/12/2007) |
| 04/21/2007 | ●36 | ENTERED IN ERROR Answer to Filed by Steven H Jesser on behalf of Bruce S Smith (Jesser, Steven) Modified on 5/3/2007 (Offord, Donna). (Entered: 04/21/2007) |
| 04/21/2007 | ●37 | Answer to Filed by Steven H Jesser on behalf of Bruce S Smith (Jesser, Steven) (Entered: 04/21/2007) |
| 05/03/2007 | ●38 | CORRECTIVE ENTRY ENTERED IN ERROR (RE: 36 Answer). (Offord, Donna) (Entered: 05/03/2007) |
| 07/16/2007 | ●39 | Hearing Continued (RE: 1 Complaint,). Status hearing to be held on 8/20/2007 at 11:30 AM at 219 South Dearborn, Courtroom 682, Chicago, Illinois 60604. (Beckerman, Steve) (Entered: 07/16/2007) |
| 07/16/2007 | ●40 | Hearing Continued . Final PreTrial Order (RE: 1 Complaint,). Pre-Trial Conference set. Trial date set for 9/17/2007 at 01:30 PM Continued Trial date set for |

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| | | 9/18/2007 at 01:30 PM Status hearing to be held on 8/20/2007 at 10:30 AM at 219 South Dearborn, Courtroom 682, Chicago, Illinois 60604. (Beckerman, Steve) (Entered: 07/16/2007) |
| 08/20/2007 | ● <u>41</u> | Hearing Continued Status hearing to be held on 9/17/2007 at 01:30 PM. (Smith, Deborah) (Entered: 08/20/2007) |
| 08/29/2007 | ● <u>42</u> | Proposed List of Exhibits Filed by Steven H Jesser on behalf of Bruce S Smith. (Jesser, Steven) (Entered: 08/29/2007) |
| 09/06/2007 | ● <u>43</u> | Compliance of Defendant Bruce S Smith, MD with Final Pretrial Order Provisions Filed by Darryl E Robinson on behalf of Sandra Sterling-Ahlla . (Williams, Daphne) (Entered: 09/07/2007) |
| 09/06/2007 | ● <u>44</u> | Objection to (related document(s): <u>42</u> List of Exhibits) Filed by Darryl E Robinson on behalf of Sandra Sterling-Ahlla (Williams, Daphne) (Entered: 09/07/2007) |
| 09/06/2007 | ● <u>45</u> | Finding of Facts and Conclusions of Law . (Williams, Daphne) (Entered: 09/07/2007) |
| 09/06/2007 | ● <u>46</u> | Notice of Filing Filed by Darryl E Robinson on behalf of Sandra Sterling-Ahlla (RE: <u>45</u> Finding of Fact and Conclusions of Law, <u>44</u> Objection, <u>43</u> Generic Document). (Williams, Daphne) (Entered: 09/07/2007) |
| 09/06/2007 | ● <u>47</u> | Notice of Hearing of Rule to Show Cause with Certificate of Service against Darryl E Robinson, P.C. for Not Filing Electronically . Hearing scheduled for 9/26/2007 at 11:15 AM at 219 South Dearborn, Courtroom 742, Chicago, Illinois 60604. (Williams, Daphne) (Entered: 09/07/2007) |
| 09/10/2007 | ● <u>48</u> | Proposed Findings of Fact and Conclusions of Law Filed by Steven H Jesser on behalf of Bruce S Smith. (Jesser, Steven) (Entered: 09/10/2007) |
| 09/11/2007 | ● <u>49</u> | Hearing Continued (RE: <u>1</u> Complaint,). Status hearing to be held on 9/14/2007 at 10:30 AM at 219 South |

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| | | Dearborn, Courtroom 682, Chicago, Illinois 60604. (Smith, Deborah) (Entered: 09/11/2007) |
| 09/11/2007 | ● <u>50</u> | Order Scheduling (RE: <u>1</u> Complaint,). Hearing continued on 9/14/2007 at 10:30AM at 219 South Dearborn, Courtroom 682, Chicago, Illinois 60604. In compliance with the Final Pretrial Order entered by the Court on 4/11/07, the parties are ordered to present in open court any Joint Stipulation of Facts that have been filed or are ready to be filed, as well as a List of Stipulated Exhibits, and numbered and tabbed copies of said Joint Exhibits. Plaintiffs is ordered to present in open court a List of Plaintiff's Proposed Exhibits, numbered and tabbed copies of said Plaintiff's Exhibits, and a list of Plaintiff's Proposed Witnesses. Signed on 9/11/2007 (Williams, Daphne) (Entered: 09/13/2007) |
| 09/11/2007 | ● <u>51</u> | Certificate of Service (RE: <u>50</u> Order Scheduling, ,). (Williams, Daphne) (Entered: 09/13/2007) |
| 09/26/2007 | ● <u>52</u> | Hearing Concluded (RE: <u>47</u> Notice of Hearing of Rule to Show Cause for Not Filing Electronically,). (Devine, Tina) (Entered: 09/26/2007) |
| 12/07/2007 | ● <u>53</u> | Finding of Facts and Conclusions of Law . (Williams, Daphne) (Entered: 12/10/2007) |
| 12/07/2007 | ● <u>54</u> | Certificate of Service (RE: <u>53</u> Finding of Fact and Conclusions of Law). (Williams, Daphne) (Entered: 12/10/2007) |
| 12/07/2007 | ● <u>55</u> | Order Scheduling Status hearing to be held on 7/10/2008 at 10:30 AM at 219 South Dearborn, Courtroom 682, Chicago, Illinois 60604. Counts II and III in each Adversary proceeding are dismissed. Signed on 12/7/2007 (Williams, Daphne) (Entered: 12/10/2007) |
| 12/07/2007 | ● <u>56</u> | Certificate of Service (RE: <u>55</u> Order Scheduling). (Williams, Daphne) (Entered: 12/10/2007) |
| 12/17/2007 | ● <u>57</u> | Notice of Appeal to District Court. Filed by Steven H Jesser on behalf of Bruce S Smith. Fee Amount \$255 (RE: <u>55</u> Order Scheduling). Appellant Designation due |

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| | | by 12/27/2007. Transmission of Record Due by 1/26/2008. (Jesser, Steven) (Entered: 12/17/2007) |
| 12/17/2007 | 58 | Receipt of Notice of Appeal(07-00012) [appeal,ntcapl] (255.00) Filing Fee. Receipt number 8039621. Fee Amount \$ 255.00 (U.S. Treasury) (Entered: 12/17/2007) |
| 12/27/2007 | 59 | Appellant Designation of Contents for Inclusion in Record and Statement of Issue On Appeal Filed by Steven H Jesser on behalf of Bruce S Smith. (RE: 57 Notice of Appeal). (Jesser, Steven) (Entered: 12/27/2007) |
| 01/08/2008 | 60 | Notice of Filing to Bk Judge and Parties on Service List (RE: 57 Notice of Appeal). (Rance, Gwendolyn) (Entered: 01/08/2008) |

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

SANDRA STERLING-AHLLA,
PLAINTIFF

CASE NO. 07 A 00012 (Adv. Pro.)

V.

BRUCE S. SMITH, MD,
DEFENDANT

KC **FILED**
JAN 11 2008
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

IN THE MATTER OF
BRUCE S. SMITH, MD,
DEBTOR

CASE NO. 05 B 40196

NOTICE OF APPEAL

Notice is hereby given, pursuant to Federal Rule of Bankruptcy Procedure 8001(a), that Bruce S. Smith, MD, debtor and defendant in the above-named actions, hereby appeals to the United States District Court for the Northern District of Illinois from the (a) Order as to Plaintiffs' Adversary Complaints Objecting to Discharge and/or Dischargeability and the (b) Order on Motions of Creditors Trina Tidwell and Sandra Sterling-Ahlla to Allow Their State Court Suits to Proceed, both entered in this action 05 B 40196 on December 7, 2007.

The names of the parties to the orders being appealed hereunder are Bruce S. Smith, MD, debtor and defendant; Trina Tidwell, creditor and plaintiff; and Sandra Sterling-Ahlla, creditor and plaintiff. Dr. Smith is represented by Steven H. Jesser, Attorney at Law, P.C., 790 Frontage Road, Suite 110, Northfield, IL 60093, (847) 424-

08CV244
JUDGE GOTTSCHALL
MAGISTRATE JUDGE VALDEZ

0200; Ms. Tidwell and Ms. Sterling-Ahlla are represented by Darryl E. Robinson, 1505 East 53rd Street, Suite 200, Chicago, IL 60615, (773) 955-0400.

Bruce S. Smith, MD, Appellant-Debtor-Defendant

By: /s/ Steven H. Jesser
Steven H. Jesser, Attorney at Law, P.C.

Steven H. Jesser, Attorney at Law, P.C.
Attorney for Bruce S. Smith, MD,
Appellant-Debtor-Defendant
790 Frontage Road, Suite 110
Northfield, IL 60093
(847) 424-0200
shj@sjesser.com

December 17, 2007

CERTIFICATE OF FILING

I, Steven H. Jesser, the attorney, hereby certify that on September 17, 2007, I electronically filed the foregoing and within Notice of Appeal with the Clerk of the Court, using the Electronic Case Filing system.

/s/ Steven H. Jesser

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN THE MATTER OF
BRUCE S. SMITH, MD,
DEBTOR

CASE NO. 05 B 40196

SANDRA STERLING-AHLLA,
PLAINTIFF

CASE NO. 07 A 00012

V.

BRUCE S. SMITH, MD,
DEFENDANT

DESIGNATION OF CONTENT OF THE RECORD ON APPEAL
AND STATEMENT OF ISSUES TO BE PRESENTED ON APPEAL

DESIGNATION OF CONTENT OF THE RECORD ON APPEAL:

All labeled hardcopy documents to be included in the record, as listed below, are being posted by USPS Priority Mail this date from the US Post Office at Glenview, IL to Clerk of Court, USBC ND IL ED, 219 South Dearborn Street, 7th Floor, Chicago, IL 60604.

Adversary proceedings No. 07 A 0011 and 07 A 0012 were filed subsequent to discharge by two creditors in the action captioned above, and those two adversary proceedings were tried at hearing before Judge Jack B. Schmetterer on 9/17/07, who presided over all pre-hearing matters in those two adversary proceedings, and from whose rulings debtor appeals.

On 12/17/07, after debtor filed his notice of appeal in No. 05 B 40196 captioned above, the Clerk of Court insisted on debtor filing two additional notices of appeal, with separate additional fees, in 07 A 00011 and in 07 A 00012. Therefore, three DESIGNATION(S) OF CONTENT OF THE RECORD ON APPEAL AND STATEMENT(S) OF ISSUES TO BE PRESENTED ON APPEAL are being electronically filed this date, with three separate notebooks of hardcopy exhibits being priority mailed to the Clerk of Court, in what debtor prefers become a consolidated appeal to the United States District Court.

Ex. A: Voluntary Petition, 9/26/05

Ex. B: Discharge of Debtor, 1/17/06

Ex. C: Motion to Allow State Court Case to Proceed, S. Sterling-Ahlla, 12/20/06

Ex. D: Motion to Allow State Court Case to Proceed, T. Tidwell, 12/20/06

Ex. E: Adversary Proceeding Complaint, S. Sterling-Ahlla,

Ex. F: Amended Adversary Proceeding Complaint, T. Tidwell, 1/16/07

Ex. G: Combined Response of Bruce S. Smith, MD, 2/9/07

Ex. H: Response of Discharged Debtor Bruce S. Smith, MD to Motion of Sandra Sterling-Ahlla to Allow State Court Case to proceed, 2/20/07

Ex. I: Motion to Dismiss of Discharged Debtor Bruce S. Smith, MD to Amended Complaint of Trina Tidwell, 2/20/07

Ex. J: Reply to Response to Motion to Dismiss of Discharged Debtor Bruce S. Smith, MD to Amended Complaint of Trina Tidwell, 4/9/07

Ex. K: Order on Motions of Creditors Trina Tidwell and Sandra Sterling-Ahlla to Allow their State Court Suits to Proceed, 12/7/07

Ex. L: Order as to Plaintiffs' Adversary Complaints Objecting to Discharge and/or Dischargeability, 12/7/07

Ex. M: Findings of Facts and Conclusions of Law, 12/7/07

Ex. N: Notice of Appeal, No. 05B 40196, 12/16/07

Ex. O: Notice of Appeal, No. 07A 00011, 12/17/07

Ex. P: Notice of Appeal, No. 07A 00012, 12/17/07

Ex. Q: Transcript Information Sheet for Transcript of 9/17/07 Hearing-Trial, 12/27/07
(transcript not included in notebook because it has not been received)

STATEMENT OF ISSUES TO BE PRESENTED ON APPEAL:

1. Whether debtor committed fraud or mere inadvertence in his listing of creditors in his voluntary petition in its statement of financial affairs and not its schedule of creditors.

2. Whether creditors, through their mutual attorney, were on due notice of debtor's voluntary petition, through faxing to their attorney in the month prior to discharge, and through listing of them in the schedule of creditors in debtor's previous voluntary petition.
3. Whether the Court's prior discharge in bankruptcy of creditors' claims should have been vacated, to allow their state court actions to proceed.

Bruce S. Smith, MD, Appellant-Debtor-Defendant

By: /s/ Steven H. Jesser
Steven H. Jesser, Attorney at Law, P.C.

Steven H. Jesser, Attorney at Law, P.C.
Attorney for Bruce S. Smith, MD,
Appellant-Debtor-Defendant
790 Frontage Road, Suite 110
Northfield, IL 60093
(847) 424-0200
shj@sjesser.com

December 27, 2007

CERTIFICATE OF FILING

I, Steven H. Jesser, the attorney, hereby certify that on December 27, 2007, I electronically filed the foregoing and within DESIGNATION OF CONTENT OF THE RECORD ON APPEAL AND STATEMENT OF ISSUES TO BE PRESENTED ON APPEAL with the Clerk of the Court, using the Electronic Case Filing system.

/s/ Steven H. Jesser